

ASSEMBLY BILL

No. 948

Introduced by Assembly Member Nunez

February 20, 2003

An act to add Section 2115 to the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 948, as introduced, Nunez. Clinical fellowship program.

Existing law, the Medical Practice Act, provides for the licensure, regulation, and discipline of physicians and surgeons by the Medical Board of California. Existing law requires the Division of Licensing of the board to approve undergraduate and graduate medical education programs, clinical clerkships, and special programs.

This bill would authorize a physician who is not a United States citizen but who is legally in this country to, after approval by the division, participate in a fellowship program in a specialty or subspecialty field in a clinic or hospital in a medically underserved area of the state. The bill would require these physicians and surgeons to be supervised by a physician and surgeon who has an appointment with a medical school in the state.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2115 is added to the Business and
- 2 Professions Code, to read:

1 2115. (a) Physicians who are not citizens but are legally
2 admitted to the United States and who seek a clinical fellowship,
3 may, after application to and approval by the Division of
4 Licensing, be permitted to participate in a fellowship program in
5 a specialty or subspecialty field, providing the fellowship program
6 is given in a clinic or hospital in a medically underserved area of
7 this state that is licensed by the State Department of Health
8 Services and providing service is satisfactory to the division.
9 These physicians shall at all times be under the direction and
10 supervision of a licensed, board certified physician and surgeon
11 who has an appointment with a medical school in California. The
12 supervisor, as part of the application process, shall submit his or
13 her curriculum vitae and a protocol of the fellowship program to
14 be completed by the foreign fellow. Approval of the program and
15 supervisor is for a period of one year, but may be renewed annually
16 upon application to and approval by the division. The approval
17 may not be renewed more than four times. The division may
18 determine a fee, based on the cost of operating this program, which
19 shall be paid by the applicant at the time the application is filed.
20 (b) Except to the extent authorized by this section, no visiting
21 physician may engage in the practice of medicine or receive
22 compensation therefor. The time spent under appointment in a
23 clinic pursuant to this section may not be used to meet the
24 requirements for licensure under Section 2102.
25 (c) Nothing in this section shall preclude any United States
26 citizen who has received his or her medical degree from a medical
27 school located in a foreign country from participating in any
28 program established pursuant to this section.

